

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

THOMAS L. BARTAK and CINDY S.
KUHL, Husband and Wife,

CIV. 07-4068

Plaintiffs,

v.

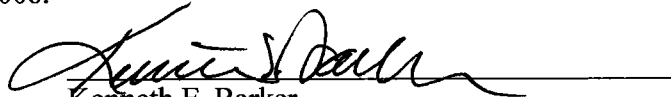
DAVID J. BARNES, M.D., YANKTON
MEDICAL CLINIC, P.C., MICHAEL
SCHURRER, M.D., ANTHONY
JAVUREK, M.D., AVERA SACRED
HEART HOSPITAL, MARK H.
BECHTEL, M.D., YANKTON
RADIOLOGY, LLP, JOHN DOE(S), JOHN
DOE(S) M.D., JANE DOE(S), M.D., and
JOHN DOE(S), P.C..

**STIPULATION AND NOTICE OF
VOLUNTARY DISMISSAL PURSUANT
TO FED. R. CIV P. 41 (a)(ii) OF
DEFENDANT AVERA SACRED
HEART HOSPITAL ONLY**

Defendants.

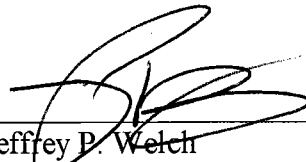
The above named parties, by and through their respective counsel of record, hereby stipulate and agree to the immediate dismissal, without costs and with prejudice of Defendant Avera Sacred Heart Hospital pursuant to Fed. R. Civ. P 41(a)(ii). Pursuant to Rule 41, no further notice or order is required and dismissal shall be effective upon entry by the Clerk. The Plaintiffs' claims the remaining Defendants are unaffected by this stipulation.

Dated this 23rd day of June, 2008.



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and



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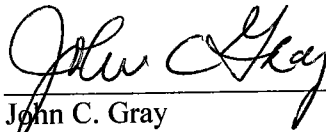
Attorney for Plaintiffs

Dated this 17th day of June, 2008.

A handwritten signature in black ink, appearing to read "Kathryn J. Hoskins", written over a horizontal line.

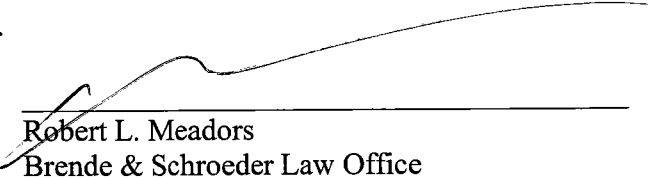
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Attorneys for Defendants David J. Barnes, M.D.
and Yankton Medical Clinic, P.C.

Dated this 25 day of June, 2008.

A handwritten signature in black ink, appearing to read "John C. Gray", is written over a horizontal line.

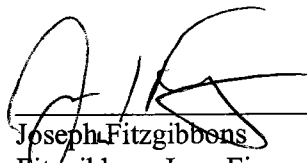
John C. Gray
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Attorney for Defendant Michael Schurrer, M.D.

Dated this 17 day of June, 2008.



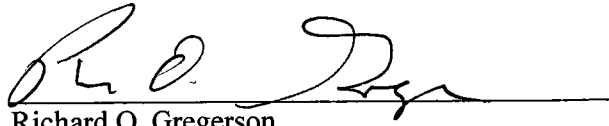
Robert L. Meadors
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Attorney for Defendant Anthony Javurek, M.D.

Dated this _____ day of June, 2008.

A handwritten signature in black ink, appearing to read 'J. Fitzgibbons', is written over a horizontal line.

Joseph Fitzgibbons
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Attorney for Defendant Anthony Javurek, M.D.

Dated this 11th day of June, 2008.

A handwritten signature in black ink, appearing to read 'Richard O. Gregerson', written over a horizontal line.

Richard O. Gregerson

Justin G. Smith

Woods, Fuller, Shultz & Smith, P.C.

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P.O. Box 5027

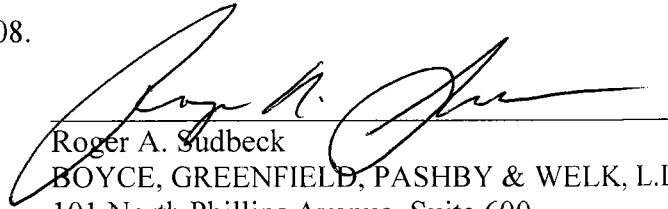
Sioux Falls, SD 57117-5027

Dick.Gregerson@woodsfuller.com

Justin.Smith@woodsfuller.com

Attorney for Defendants and Yankton Radiology, LLP

Dated this 26 day of June, 2008.



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